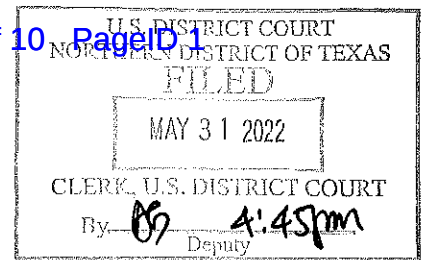


PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 08/2021)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

BOBBY R. SHAMLIN #0978864  
Plaintiff's Name and ID Number

TARRANT COUNTY Jail  
Place of Confinement

4-22CV-468-0

CASE NO. \_\_\_\_\_  
(Clerk will assign the number)

v.

BILL E. WAYBOWN  
Defendant's Name and Address

TARRANT COUNTY Jail  
Defendant's Name and Address

GRAY ADAMS  
Defendant's Name and Address  
(DO NOT USE "ET AL.")

## INSTRUCTIONS - READ CAREFULLY

## NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

**FILING FEE AND IN FORMA PAUPERIS (IFP)**

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$52.00 for a total fee of **\$402.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$52.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

**CHANGE OF ADDRESS**

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

**I. PREVIOUS LAWSUITS:**

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? YES ☒ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
  1. Approximate date of filing lawsuit: \_\_\_\_\_
  2. Parties to previous lawsuit:
 

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_
  3. Court: (If federal, name the district; if state, name the county.) \_\_\_\_\_
  4. Cause number: \_\_\_\_\_
  5. Name of judge to whom case was assigned: \_\_\_\_\_
  6. Disposition: (Was the case dismissed, appealed, still pending?) \_\_\_\_\_
  7. Approximate date of disposition: \_\_\_\_\_

II. PLACE OF PRESENT CONFINEMENT: TARRANT COUNTY Jail

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? ☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: BOBBY R. Shamlin  
100 N. LAMAR ST  
FORT WORTH, TEXAS 76196

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: GRAY ADAMS A Jailer At the  
TARRANT COUNTY Jail.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

ASSAULTED me when Booking me in Jail

Defendant #2: \_\_\_\_\_

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #3: \_\_\_\_\_

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4: \_\_\_\_\_

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: \_\_\_\_\_

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

**CERTIFICATE OF INMATE TRUST ACCOUNT**

I, the undersigned authorized officer of the TARRANT County Jail  
(name of institution)  
where BOBBY R. SHAMLIN, Inmate ID No. 0978864, is confined  
(name of inmate)  
as a prisoner, do hereby certify that:

(1) On this day the prisoner has in his account the sum of \$ 0 Dollars.

(2) During the past six months, the prisoner's:

Average monthly balance was \$ 40.00.

Average monthly deposits to the prisoner's account were \$ 40.00.

Attached is a certified copy of the prisoner's trust account statement (or institutional equivalent)  
showing transactions for the past six months.

Signed this 26 day of MAY, 20 22.

\_\_\_\_\_  
Authorized Officer

\_\_\_\_\_  
Institution of Confinement

**Authorization**

I, the undersigned inmate, authorize the institution where I am incarcerated to withdraw and forward to the court any initial partial filing fee or appeal fee and any subsequent installments ordered by a Court under the *in forma pauperis* provisions of 28 U.S.C. § 1915.

Bobby R. Shamlin  
Signature of Prisoner/Plaintiff/Appellant  
Inmate ID No. 0978864

## V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

THE TWO OFFICERS ONE WHITE OTHER ONE BLACK  
Put me into A Holding cell AND into A wheelchair  
AND THEN STARTED AFTER STRAPPING MY ARMS DOWN  
AND ASSAULTING me by pulling MY FINGERS UPWARD  
WHICH CAUSED INTENTIONALLY CAUSED SERIOUS BODILY  
INJURY TO MY FINGERS ON MY RIGHT HAND ON JULY  
31, 2021 AT ABOUT 8:00 P.M....

I WAS TAKEN TO MY HOUSING IN THE SAME  
WHEELCHAIR THAT I WAS ASSAULTED IN THE SAME DAY..

## VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

TO REWARD me WITH A PAYMENT FOR BEING  
ASSAULTED BY A TARRANT COUNTY JAIL...

## VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

BOBBY RAY, OR SHAM...

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

316604 AND 854595

## VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? \_\_\_ YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): \_\_\_\_\_

2. Case number: \_\_\_\_\_

3. Approximate date sanctions were imposed: \_\_\_\_\_

4. Have the sanctions been lifted or otherwise satisfied? \_\_\_ YES ☒ NO

- C. Has any court ever warned or notified you that sanctions could be imposed? \_\_\_\_\_ YES ☒ NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): \_\_\_\_\_
  2. Case number: \_\_\_\_\_
  3. Approximate date warning was issued: \_\_\_\_\_

Executed on: \_\_\_\_\_  
DATE

\_\_\_\_\_  
(Signature of Plaintiff)

### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 26 day of MAY, 20 22.  
(Day) (month) (year)

\_\_\_\_\_  
(Signature of Plaintiff)

**WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.**





## TARRANT COUNTY SHERIFF'S OFFICE RESPONSE TO LEVEL I GRIEVANCE APPEAL

**INMATE:** Shamlin, Bobby

**CID:** 0978864

**GRIEVANCE NUMBER:** G216980

**APPEAL DATE:** Monday, October 11, 2021

**RESPONSE DATE:** Wednesday, October 20, 2021

**CHAIRMAN:** Lieutenant Mike Ford

**APPEAL TYPE:** 12. Information Only

**RESPONSE:** Mr. Shamlin, I have received and reviewed your appeal. An inquiry was conducted into your allegations and proven them to be false. Video footage reviewed is not consistent with your allegations. You were escorted to your housing unit in a wheelchair. I am considering this matter closed.

A handwritten signature in black ink, appearing to read "Mike Ford", is written over a horizontal line.

Lieutenant Mike Ford

### **BOARD MEMBERS DECISION**

I, Sergeant Tom Wall, agree that the response is appropriate and in accordance with State Jail Standards.

A handwritten signature in black ink, appearing to read "Tom Wall", is written over a horizontal line.

**Sgt. Tom Wall**

I, Captain Emily Pedigo, agree that the response is appropriate and in accordance with State Jail Standards.

A handwritten signature in black ink, appearing to read "Emily Pedigo", is written over a horizontal line.

**Captain Emily Pedigo**



## TARRANT COUNTY

BILL E. WAYBOURN, SHERIFF

Glen Richardson  
Chief Deputy  
(817) 884-3195  
Fax: (817) 884-3173

DETENTION BUREAU  
TARRANT COUNTY CORRECTIONS CENTER  
100 NORTH LAMAR STREET  
Fort Worth, Texas 76196

**To:** Bobby Shamlin CID #0978864

**Reference:** Final Appeal for A-G216980

*Glen Richardson*

**Date:** November 10, 2021

Mr. Shamlin,

I have received your request for a "next level appeal" to your original appeal of grievance G216980. The original grievance was received on September 23, 2021 and a second level appeal with the same issue on November 9, 2021. You appealed the first grievance response on October 11, 2021 and the response to your appeal was dated October 20, 2021.

In your original grievance, you alleged that you were assaulted by Tarrant County jailers on July 31, 2021. You further alleged that officers threw your property away and other personal items were taken from you.

Upon further investigation, on July 31<sup>st</sup> you received services from Mental Health (MHMR) and were placed on suicide watch by MHMR staff. You were then taken to the male dress-in room, issued an SPC uniform, and escorted to your assigned housing unit in a wheelchair at approximately 1820 hours without incident. On August 28, 2021, you were interviewed by a Grievance Corporal for more information about your allegations. According to your interview, you alleged this incident occurred in Booking when you had a suicide attempt. You further alleged that you were assaulted while you were being placed in a restraint chair.

A review of recorded video footage by the Inmate Grievance Committee did not coincide with your allegations about what occurred. There was no evidence that indicated you were ever placed in a restraint chair.

Based on the information that was provided, there was no evidence that supported your allegations of officer misconduct. Additionally, you did not specify what property was thrown away or which personal items were taken from you. My final ruling is not sustained, and the case is closed.

Chief Deputy Glen Richardson



**Instructions to a Prisoner *Pro Se* Plaintiff**

Your suit \_\_\_\_\_ was filed on \_\_\_\_\_ and has been assigned case number \_\_\_\_\_.

These instructions do not include everything you need to know to pursue your case, but following them may help you avoid common mistakes that can result in delay or other consequences—including dismissal of your case.

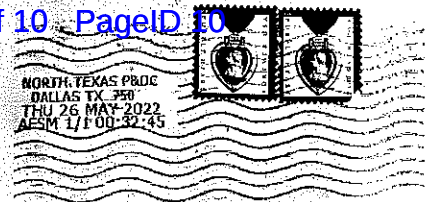
1. **Filing Procedures** - The Local Civil Rules include the following requirements:
  - You must submit a judge's copy (a paper copy) of any document you file. If you want a file-stamped copy returned to you, submit the original, the judge's copy, and an extra copy to be returned to you, and provide a self-addressed, postage-paid envelope. The clerk cannot make an extra copy for you unless you first pay a fee of 50 cents per page.
  - You must type or legibly handwrite your documents on one side of numbered pages. Any exhibit or discovery material attached to the filing must be referred to in the filing. Any exhibit or discovery material not referred to in your filing or not attached to your filing may be returned to you.
2. **Address Change** - You must notify the Court if your address changes, or your case may be dismissed. Promptly file a written change of address notice in your case.
3. **Rules to Follow** - You must read and follow the Court's Local Civil Rules and the Federal Rules of Civil Procedure. Because the presiding judge is authorized to change how certain rules apply, you must read and follow the judge's orders in your case.
4. **Request for Attorney** - In a civil case, you generally are not entitled to a court-appointed attorney to represent you without cost to you. If you request a court-appointed attorney, a judge will decide whether to appoint an attorney depending on the circumstances of the case. Even if the court decides to appoint an attorney, the attorney cannot be forced to accept the appointment. You may call the Lawyer Referral Service of the State Bar of Texas at (800) 252-9690 for assistance in securing the services of a private attorney to represent you for a fee.
5. **Initial Case Review** - If the Court grants leave to proceed *in forma pauperis*, service of process will be withheld pending review of your complaint, and your complaint may be dismissed pursuant to 28 U.S.C. § 1915(e)(2).
6. **Copies to Defendant** - After a defendant has been served your complaint, you must serve a copy of any other document you file upon the defendant's attorney (or upon the defendant, if the defendant is pro se). You must serve the opposing side by mail or another manner authorized by Fed. R. Civ. P. 5 (b)(2). All documents must contain a Certificate of Service reflecting that you served the opposing side. This is an example of language you may use:
  - I hereby certify that on (Date), I forwarded a copy of the foregoing document to \_\_\_\_\_, the attorney for (Defendant) at the address of \_\_\_\_\_.

\_\_\_\_\_  
/Signature/
7. **Discovery Materials** - Do not file discovery materials with the clerk. If you file a motion to compel discovery, you may attach only the portions of discovery that are relevant to your motion.
8. **Questions About Your Case** - Do not write letters to the judge asking questions about your case - all communication with the judge should be through filings. Do not write letters to the clerk asking for instructions on how to handle your case, since the clerk is prohibited from giving legal advice.

**Mailing Address:**

United States District Court  
 501 West 10th Street, Room 310  
 Fort Worth, TX 76102-3673

Mr. BOBBY R. SHAMLIN #0978864  
TARRANT COUNTY Jail  
100 N. Lamar St  
Fort Worth, Texas 76196



-RAY

CLERK OF DISTRICT COURT  
NORTHERN DISTRICT  
FORT WORTH  
2022 MAY 31 PM 1:01  
DEPUTY CLERK

United States District Court  
501 West 10th Street, Room 310  
Fort Worth, Texas 76102-3673

